

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

: Hon. Katherine S. Hayden

v.

: Criminal No. 99-271-02 (KSH)

OSCAR LANDRAN

: O R D E R

This matter having come before the Court on the petition of the United States Probation Office for a violation of supervised release and a hearing having been held before this court on September 8, 2008, defendant Oscar Landran being represented by John Yauch, Assistant Federal Public Defender and the United States being represented by Christopher Christie (Douglas Herring, Assistant United States Attorney, appearing); and the defendant having entered a guilty plea, that was accepted by this court, to having violated the condition of his supervised release, specifically the prohibition which states "the defendant shall report to the probation officer as directed by the Court or probation officer"; and the defendant having admitted a crack cocaine addiction; and the defendant having admitted surrendering himself on this warrant; for good cause shown;

IT IS THE FINDING OF THIS COURT that defendant Oscar Landran was convicted of conspiracy to distribute heroin in violation of 21 U.S.C. § 846. The defendant was placed on supervised release after completing his periods of incarceration. The defendant was placed on his current supervised release on March 15, 2008.

IT IS THE FURTHER FINDING OF THIS COURT that defendant Oscar Landran

absconded from supervised release and failed to report to his probation officer on July 1, July 15, and August 5, 2008, while ~~on~~ supervised release.

WHEREFORE, it is on this 30 day of September, 2008,

IT IS HEREBY ORDERED that the defendant is adjudged guilty of having violated his supervised release;

IT IS FURTHER ORDERED that the term of supervised release imposed by this court on November 9, 2005, is hereby revoked pursuant to 18 U.S.C. § 3583(e)(3) and U.S.S.G. § 7B1.3(a)(1) and the defendant is hereby **committed to the custody of the Bureau of Prisons for a term of six (6) months**;

IT IS ORDERED that the defendant is reinstated on supervised release for a period of 30 months with the following conditions:

1. Within 72 hours of release from state custody, the defendant shall report in person to the Probation Office in the district to which the defendant is released.
2. While on supervised release, the defendant shall not commit another federal, state, or local crime. The defendant shall not possess a firearm or dangerous device, shall not possess an illegal controlled substance, and shall comply with the standard conditions that have been adopted by this court.
3. The defendant shall ~~enter and remain in an in patient drug treatment~~ *be released to*, facility as selected by the U.S. Probation Office.
4. The defendant shall refrain from the use of alcohol and shall submit to testing to ensure compliance. It is further ordered that the defendant

submit to evaluation and treatment as directed by the U.S. Probation office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

5. The defendant shall participate in an approved program for domestic violence.
6. The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to any drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.
7. The defendant shall participate in the mental health program for evaluation and/or treatment as directed by the U.S. Probation Office. The defendant shall remain by the rules of any program and remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

IT IS FURTHER ORDERED that all other conditions of the judgment of conviction entered in this matter shall remain in full force and effect.



HONORABLE KATHARINE S. HAYDEN
United States District Judge